

Message Text

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43

ACTION ARA-10

INFO OCT-01 ISO-00 EB-07 L-03 OPR-02 ARAE-00 JUSE-00 AID-05

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FM AMEMBASSY LIMA

TO SECSTATE WASHDC PRIORITY 6202

C O N F I D E N T I A L LIMA 6319

EO 11652: GDS

TAGS: EINV, EGEN, PFOR, PE

SUBJECT: GOP DECREE LAW ESTABLISHING NEW RULES FOR
EXPROPRIATION PROCEDURES

REF: A) STATE 184769, B) LIMA 6236

1. FOLLOWING IS SPANISH TEXT OF RELEVANT ART. (NO. 8) OF
DECREE LAW NO. 21221 OF JULY 22. "CUANDO EL PERITO DE
PARTE Y/O DIRIMENCIAL CON SUS VALORIZACIONES EXCEDIERAN
EN UN CINCUENTA POR CIENTO EL PRECIO QUE POSTERIORMENTE
FIJE EL JUEZ, LOS AUTORES SERAN SANCIONADOS CON UNA
MULTA EQUIVALENTE A LOS HONORARIOS QUE LES CORRESPONDERIA
PERCIBIR, SIN PERJUICIO DE SUSPENSION EN SUS ACTIVIDADES
Y DE LA ACCION PENAL A QUE HUBEIRE LUGAR." (ENGLISH
TEXT, UNOFFICIAL TRANSLATION, READS: "WHEN THE EXPERTS
NAMED BY OPPOSING SIDES OR THE EXPERT WHO MAKES THE
FINAL EVALUATION EXCEED BY 50 PERCENT IN THEIR EVALU-
ATIONS THE PRICE FINALLY ESTABLISHED BY THE JUDGE,
THEY (THE EXPERTS) WILL BE PUNISHED BY A FINE EQUIVALENT
TO THE FEE THEY WOULDHAVE RECEIVED WITHOUT PREJUDICE TO THE
SUSPENSION OF THEIR ACTIVITIES OR OF CRIMINAL
(PENAL) ACTION THAT COULD OCCUR."

2. COMMENT: OUR READING, CONFIRMED BY EMBASSY LAWYER,
IS THAT DEPARTMENT'S ASSUMPTION PARA 2, REF A, IS CORRECT.
EMBASSY IS PREPARING AIRGRAM WITH RELEVANT SECTIONS OF
D.L. TRANSLATED INTO ENGLISH, ACCOMPANIED BY FULL
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SPANISH TEXT.

DEAN

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Message Attributes

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